



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, July 27, 2005

9:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **July 27, 2005**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Larry Ng (larry.ng@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

None

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **SP05-018. Special Use Permit** to remove a 837 sq.ft. garage and replace it with a 954 sq.ft. garage on a 0.32 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the Southwest side of Chapman Street approximately 200 feet southeast of University Avenue (831 CHAPMAN ST) (Shiba Michael S And Ann M, Owner). Council District 6. SNI: None. CEQA: Exempt.
- b. **TR04-124. Tree Removal Permit** to remove one Oak tree 78 inches in circumference on a 0.17 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1138 Carolyn Avenue (Trapani Josephine E Trustee, Owner). Council District 6. CEQA: Exempt.
- c. **PD 02-057. Planned Development Permit** request to allow the construction of two paved play areas and associated improvements (including new landscaping and fencing) at an existing private school on a 52.68 gross acre site in the A(PD) Planned Development Zoning District, located at the easterly terminus of Skyway Drive, easterly of Monterey Road (100 Skyway Drive) (Valley Christian Schs, et al, Owners; Valley Christian Schs, Developer). Council District 2. SNI: None. CEQA: Mitigated Negative Declaration.
- d. **H05-015. Site Development Permit** to convert an existing single-family residence to a duplex on a 0.12 gross acre site in the R-2 Two-Family Residence Zoning District, located on the west side of Harliss Avenue, approximately 300 feet northerly of Edwards Avenue (915 Harliss Avenue)

(Hernandez, Marco and Angela A, Owner). Council District 3. SNI: Washington. CEQA: Exempt.

- e. **SP05-022. Special Use Permit** to allow the addition of a patio to, and after hours operation from midnight until 2:00 a.m. for an existing legal non-conforming drinking establishment on a 0.15 gross acre site in the LI Light Industrial Zoning District, located at the northwest corner of Coleman Avenue and West Taylor Street (501 W. Taylor Street) (Saiti Djevat, Owner). Council District 3. SNI: None. CEQA: Exempt.
- f. **PDA84-126-30. Planned Development Permit Amendment** to construct one single-family detached residence on a 0.38 gross acre site in the A(PD) Planned Development Zoning District, located on the east side of St. George Lane, approximately 150 feet northerly of Scarsdale Place (7236 St George Lane) (David Markham, Owner). Council District 10. SNI: None. CEQA: Mitigated Negative Declaration.
- g. **PD05-030. Planned Development Permit** to demolish three residential structures and construct seven detached and two attached single-family residences on a 1.176 gross acre site in the A(PD) Planned Development Zoning District, located at/on the south side of Malone Road approximately 240 feet northeasterly of Johnston Avenue (800 MALONE RD) (Letcher Carol D, Owner). Council District 6. SNI: None. CEQA: Negative Declaration.
- h. **TR05-079. Tree Removal Permit** for a Redwood Tree over 56" in circumference which was removed without benefit of the required permit on a 0.13 acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the Southside of Bailey Avenue, approximately 110 feet west of Bascom Avenue (2216 BAILEY AV) (Abtahi Hamid Et Al, Owner). Council District 6. CEQA: Exempt.
- i. **TR05-075. Tree Removal Permit** to allow removal of a Pepper tree 108 inches in circumference for a single-family detached residential use on a 0.14-acre lot in the R-M Multiple Residence Zoning District, located at/on the west side of N. 7th Street approximately 360 feet south of E. Empire Street (455 N. 7th Street) (Martinez Paul M Et Al, Owner). Council District 3. CEQA: Exempt.
- j. **PD05-028. Planned Development Permit** to construct 3 single-family detached residences on a 0.36 gross acre site in the A(PD) Planned Development Zoning District, located at/on the northeast corner of Willow Street and Prevost Street (479 WILLOW ST) (Willow Street Property Group, LLC, Owner). Council District 6. SNI: Greater Gardner. CEQA: Exempt. DEFERRED FROM 7/20/05
- k. **The projects being considered are located at the southside of Aborn Road at the intersection with Ruby Avenue in the A(PD) Planned Development Zoning District and Public Right of Way and at the northeast corner of Fowler and San Felipe Roads. (Shapell Industries, Owner). Council District 8. SNI: None. CEQA:Exempt.**

CIS03-001. Community Identification Signage Permit to allow:

- 1) Two pedestrian entry arches, one arch on the southeast corner and one on the southwest corner of Aborn Road and Ruby Avenue and
- 2) One pedestrian entry kiosk on the northeast corner of Fowler and San Felipe Roads.

- l. PDA04-061-01. Planned Development Permit Amendment** to amend conditions of the previously approved permit PD04-061 to allow construction hours to extend on Saturdays and Sundays from 8 a.m. to 5 p.m. located at/on the south side of Murphy Avenue, 450 feet westerly of Ringwood Avenue (1400 MURPHY AV) in the A(PD) Planned Development Zoning District (Silicon Valley Habitat Humanity Inc Robert Freiri, Owner). Council District 4. SNI: None. CEQA: Exempt.
 - m. PDA04-062-01. Planned Development Permit Amendment** to amend conditions of the previously approved permit PD04-062 to allow construction hours to extend on Saturdays and Sundays from 8 a.m. to 5 p.m. located at/on the southwest corner of Murphy Avenue and Ringwood Avenue (1597 RINGWOOD AV) in the A(PD) Planned Development Zoning District (Silicon Valley Habitat Humanity Inc Robert Freiri, Owner). Council District 4. SNI: None. CEQA: Exempt.
 - n. The projects being considered are located on the south side of Duckett Way approximately 400 feet easterly of DeAnza Boulevard (1584 Duckett Way) in the A(PD) Planned Development Zoning District on a 0.38 gross acre site, (Shwe Richard S And Alma M Trustee, Owner). Council District 1. SNI: None. CEQA: Addendum to Negative Declaration.**
 - 1) **PD05-037. Planned Development Permit** to demolish one existing single-family residence and construct five single-family attached/detached residences.
 - 2) **PT05-050. Planned Tentative Map Permit** to subdivide one parcel into six lots for residential uses.

The consent calendar is now closed.

3. PUBLIC HEARING

None

This concludes the Planning Director's Hearing for July 27, 2005. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

July 20, 2005

PUBLIC HEARINGS

1. DEFERRALS

2. CONSENT CALENDAR

- | | |
|--|-------------------------|
| a. H04-056 | APPROVED |
| b. PDA83-052-01 | APPROVED |
| c. PD05-028 | DEFER TO 7/27/05 |
| d. TR05-074 | APPROVED |
| e. PTE02-076-01 | APPROVED |
| f. TR05-072 | APPROVED |
| g. PD03-081 DEFERRED FROM 7/13/05 | APPROVED |
| h. PD05-002. CONTINUED FROM 7/13/05 | APPROVED |
| i. PDA99-072-01 DEFERRED FROM 7/13/05 | APPROVED |
| j.1. PD05-032 | APPROVED |
| j.2. PT05-036 | APPROVED |
| k.1. PD05-036 | APPROVED |
| k.2. PT05-061 | APPROVED |

3. PUBLIC HEARING

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| a. PDA94-016-02. CONTINUED FROM 7/13/05 | CONTINUED TO 8/24/05 (NCH) |
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